

Honolulu, Hawaii

APR 04 2016

RE: H.B. No. 2284
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2284 entitled:

"A BILL FOR AN ACT RELATING TO GUARDIANSHIP,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the courts to forward information relating to adult guardianships to the Hawaii Criminal Justice Data Center, which in turn shall forward the information to the Federal Bureau of Investigation for inclusion in the National Instant Criminal Background Check System database for gun control purposes; and
- (2) Require the Hawaii Criminal Justice Data Center to maintain the adult guardianship orders of appointment or information for disclosure to and use by law enforcement officials for firearm permitting or registration purposes.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that the National Instant Criminal Background Check System (NICS) is a federal database to which states are asked to contribute data, in order to identify those who are federally prohibited from possessing a firearm. The NICS Improvement Act of 2007 prohibits a person who has been



adjudicated as a mental defective or has been committed to any mental institution from possessing firearms or ammunition. This prohibited category includes a person who is placed in a legal guardianship status as an adult due to mental incapacitation. This measure will allow the State to comply with the NICS Improvement Act of 2007 for gun control purposes.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2284, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2284, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



Record of Votes
Committee on Judiciary and Labor
JDL

*Only one measure per Record of Votes